

TOWN OF NEW WINDSOR

PLANNING BOARD

December 8, 2010

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN  
HENRY VAN LEEUWEN  
HOWARD BROWN  
HENRY SCHEIBLE  
DANIEL GALLAGHER

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PLANNING BOARD ATTORNEY

MARK EDSALL, P.E.  
PLANNING BOARD ENGINEER

JENNIFER GALLAGHER  
BUILDING INSPECTOR

NICOLE JULIAN  
PLANNING BOARD SECRETARY

ABSENT: NEIL SCHLESINGER  
HARRY FERGUSON

REGULAR MEETING:

MR. ARGENIO: I want to call the December 8 regular meeting of the Town of New Windsor Planning Board to order. I'm going to ask Mr. Scheible to come up and take Mr. Schlesinger's spot because he will not be with us this evening. So, okay, Henry. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

APPROVAL OF MINUTES DATED OCTOBER 13 & 27, 2010

MR. ARGENIO: The first item we have tonight is approval of the minutes dated October 13 and October 27, 2010 sent out via e-mail on November 9, anybody sees fit, I'll accept a motion we accept them as written

MR. BROWN: So moved.

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MR. VAN LEEUWEN: Second it.

MR. ARGENIO: Roll call.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

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ANNUAL MOBILE HOME PARK REVIEW:

SILVER STREAM PARK

MR. ARGENIO: Silver Stream Park, somebody here to represent this? Do you want to come forward please? Could I have your name and your address for the benefit of the stenographer?

MR. PUCCIO: Michael Puccio, 9 Bivona Lane, New Windsor, New York.

MR. ARGENIO: Jen, has somebody from your office been out to visit this park?

MS. GALLAGHER: Yes, they have

MR. ARGENIO: What say you?

MS. GALLAGHER: Everything's fine.

MR. ARGENIO: Do you have a check made out for the benefit of the Town of New Windsor for \$725?

MR. PUCCIO: Yes, I do.

MR. ARGENIO: Jennifer's office says everything is okay. Motion for one year.

MR. VAN LEEUWEN: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded we offer Silver Stream Mobile Home Park one year extension of the permit.

ROLL CALL

MR. SCHEIBLE     AYE  
MR. BROWN       AYE  
MR. GALLAGHER    AYE  
MR. VAN LEEUWEN   AYE  
MR. ARGENIO       AYE

MR. ARGENIO: Thank you for keeping a neat and fit place.

PUBLIC HEARINGS:

STONEGATE AT NEW WINDSOR (09-29)

MR. ARGENIO: Next is a public hearing, this is for Stonegate at New Windsor site plan. This project involves 84 unit senior citizen multi-family residential project on a 9.08 acre parcel. The plan was previously reviewed at the 8 November, 2009 and 27 October, 2010 planning board meetings. They are here tonight for a public hearing. I see Mr. Shaw is getting himself set up here. What I'd like to do is have him make his presentation, Greg, tell us first, show us what changes you have made since the last time you were here cause I'd like to get some bullet points on that. And then when Mr. Shaw's done we'll open it up to the public and we'll get a comment from the public. That said, what say you tonight, Mr. Shaw?

MR. SHAW: Thank you. To answer your first question, there was no changes made since the last time this board had reviewed this plan. So with that being said, as far as the presentation tonight, I would like to make some opening remarks. With me tonight is Phil Grealy, John Collins Engineers who's our traffic consultant and also Mario Salpepi from Coppola and Associates who is the project architect. And I'd like both of those to touch on their aspect of the project. But before they begin, I'd like to just touch on a couple features of the site. As you said, it's a 9 acre parcel presently located in a Planned Industrial Zone. Access to the project will be from Little Britain Road through a 50 foot wide right-of-way which they presently have to enter the property. The project also has frontage on Steele Road but because of traffic being deposited on Steele Road which is a residential area, we felt that, and the fact that it was quite a steep embankment, it made more sense to bring the traffic directly onto Little Britain Road which is New York State Route 207. With respect to the access drive which is going to come from 207 to the site, it is going to be rebuilt, with respect to water, sewer, sanitary facilities, sight lighting, curbs and macadam pavement it will be built according to the road specifications of the Town of New Windsor. Once we enter our --

MR. ARGENIO: Greg, I'm sorry, you're referring to the driveway going up?

MR. ARGENIO: The road going to the driveway?

MR. SHAW: I'm referring to the drive which is going to be rebuilt from Little Britain Road to where you enter our property.

MR. ARGENIO: That's going to be built to town specs for dedication?

MR. SHAW: Not for dedication, it's going to be privately owned. Once we get to the site, we're going to construct two buildings, between the two buildings there are going to be 84 senior citizen units market rate not affordable housing. By zoning density we're allowed to construct 81 units on this parcel, we're proposing 84. Therefore, we're proposing a cash amount to the Town of New Windsor to allow the three extra units with respect to density. Of the two buildings --

MR. ARGENIO: That's something that you will also share with the Town Board when you go there?

MR. SHAW: The Town Board shared it with me.

MR. ARGENIO: That's even better.

MR. SHAW: With respect to the two buildings, building number one there's going to be 36 units, three stories, building number two is going to be 48 units, three stories. Between the two buildings we're going to have 60 units which are going to be one bedroom units and the balance of 24 units are going to be two bedroom units. We have provided the required parking that New Windsor ordinance mandates, that's two spaces for each and every unit so we're providing a total of 168 spaces. And incorporated into the design of the site are some nice sight amenities. We have two large patio areas that are going to be accessible, one is 2,800 square feet which is going to be situated between buildings number one and two. And the second one is going to be 4,800 square feet which is going to be on the easterly side of building number two and that patio area will be integrated with the amenities of the building of that lower level and when Mr. Salpepi comes before you, he will be able to speak about what those amenities are going to be. With respect to the utilities of the site, we're going to be bringing in the 12 inch water main into the site and when we get to

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the point we'll be able to loop around the buildings that will be reduced to an eight inch diameter main,

obviously the building will be sprinklered.

MR. ARGENIO: Where does the 12 inch main come from?

MR. SHAW: Proposed to come along Route 207 up the new drive and into our site in that fashion.

MR. ARGENIO: Make sure you don't hook into the wrong main down there.

MR. SHAW: Okay.

MR. ARGENIO: There's a finished one.

MR. SHAW: It will be the finished. With respect to the water system also the town has asked us to provide a spur from our site down the embankment of Steele Road and terminate at the edge of the pavement of Steele Road. Presently, Steele Road does not have municipal water, the residents operate off wells. By us bringing water to that area, they will in turn have the ability to extend the water main and service those homes with town water if they or the town so wishes. That portion of the main along 207 up the drive into the site through the site and down to Steele Road will be owned by the Town of New Windsor, it's going to have to be a public system. Other than that, the water main which loops around the building which is going to be eight inches in diameter will be privately owned by the owner of the property. Sanitary sewer is very similar, I'm, we're going to hook up the buildings by gravity, the site slopes in towards Route 207 and we'll be installing an eight inch sewer main through the site and connect to the existing main on Route 207 Little Britain Road.

MR. VAN LEEUWEN: What size is the main on 207?

MR. SHAW: It's eight inches I believe.

MR. VAN LEEUWEN: So eight inches going into eight inches?

MR. SHAW: Yes. With respect to the storm drainage, we have a storm water collection system which is going to pick up the storm water and as I mentioned the grade flows towards Route 207, when we get to the westerly portion of our site, we're going to take what's known

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as the water quality volume and we're going to filter it, we're going to build a filter which is about 30 feet wide by approximately 90 feet deep where that

storm water is going to flow through the filter and then get discharged and into a storm water detention basin where the peak flows are going to be detained, held and released slowly so that the flow running from the site after development is no greater than prior to the development. And I just would like to point out one issue with respect to the storm water discharge we're fully cognizant that across the street the property is owned by the City of Newburgh, that being a portion of Washington Lake. Our site does not discharge to Washington Lake, it discharges to what's known as Lockwood's Basin, Monel's Basin, those two names are pretty interchangeable. And when we circulated for lead agency, the New York State DEC had some comments that if this was a stream that ran year round that we would have to get a permit, all right, from the DEC protection of waters with respect to any changes to this. We have talked to the Scheible family who have experience with this property for probably at least 40 years and we have been told that that stream is not a year round stream, it's an intermittent stream and we even followed it up by doing some research on the Orange County Soils Survey Map which shows it as an intermittent stream also. We're confident that we do not need any permit from the DEC to discharge our storm water into the state system because once it entered the state system, it crosses Route 207 and flows through a drainage course into Monel's Basin which is not, which the City of Newburgh can use for their water supply but has not used, has not been used in more than a decade to the best of my understanding. So with that, Mr. Chairman, that's a brief overview of the site aspects. I'd like to introduce Mr. Phil Grealy and he can speak to the traffic issues.

MR. GREALY: Philip Grealy, John Collins Engineers, Hawthorne, New York. We prepared the traffic impact study for the project dated April 13, 2010. As part of that traffic study, we looked at existing traffic conditions, we looked at several intersections in the area of 207. In terms of current conditions on 207 during morning peak hour, you have roughly 850 vehicles total both directions on 207 in the vicinity of the site that's a total one hour period. Afternoon jumps up to around 950. In terms of traffic generation for this type of development, we refer to it as an active adult development. That type of development and unit

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type would generate somewhere in the order of half of a trip per dwelling unit so if you have 84 units you're looking at roughly 40, 42 trips generated in that peak one hour time period. In terms of traffic in the area

and other increases on Route 207, we looked at into the future three years we looked at background growth and other projects in the area both in the Town of New Windsor and the Town of Newburgh that could influence this corridor, some of which are not going ahead at this point in time but were accounted for in terms of future projections of traffic. And that's the, to kind of give a worst case scenario if they proceed what kind of volumes we'll have here and how the operations will be. This section of Route 207 45-mile per hour speed limit is as Mr. Shaw indicated we're going to be upgrading the access road where it intersects with Route 207 at that point with the new pavement radii there's some clearing along 207 but we have adequate sight distance at that location based on the speeds. In terms of the operational analysis that was part of our study, we looked at the intersection and we have to do what's called a level of service analysis which is required by New York State DOT. And basically the level of service analysis is A, B, C, D, E, F, at this intersection the traffic projections with this development would be a level of service C or better. That means that on average people exiting from the site onto Route 207 would wait in the vicinity of 15 to 25 seconds average during those peak time period, assuming all the other development occurs which is more than acceptable for an unsignalized intersection with a state highway. In terms of other items, you know, the improvements to the road, the existing conditions of the road need to be upgraded, and that will include the intersection with 207. That's pretty much it. If there's any questions, I will be happy to answer them.

MR. ARGENIO: Phil, are you going to do a set of plans with your stamp on them?

MR. GREALY: Typically we'll work together with Greg so we'll work on it, in this particular case, he'll probably just handle the drawings with our input but we work together on a lot of projects.

MR. ARGENIO: Are we talking about a right and left turn lane as you go down the hill?

MR. GREALY: Right, no, I, the plan shows a widening out to 30 feet I believe of total pavement but we did

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look at the ability at least for the last segment here to widen that additional to have two exiting lanes.

MR. ARGENIO: Can you do that?



MR. GREALY: Looks like there's enough room, we have a right-of-way and we looked at the grading, we probably have to go with two 10 foot lanes coming out but more than adequate for the types of traffic we're talking about. If we did that, that would allow if someone was making a left turn, right turn traffic to exit independently so if that's something we'll pursue with the DOT as part of the permit and if that's the direction the board would like us to take we can do that.

MR. ARGENIO: What do you, Mark or other members of the board, what do you guys think about that exit?

MR. BROWN: You're going to have a stop sign there?

MR. GREALY: Yes.

MR. SCHEIBLE: There's one presently there.

MR. EDSALL: I think there's a benefit and given the fact we have the commercial use of that drive as well down the road that use could change and become, could increase in intensity and the two lanes would only be a benefit at that point

MR. ARGENIO: Absolutely.

MR. VAN LEEUWEN: I have no problem with it.

MR. GREALY: We'll proceed in the direction.

MR. ARGENIO: What else?

MR. GREALY: Any other questions?

MR. ARGENIO: Anything for Phil? Okay, we'll give you a holler if we have anything else but that was one of my big concerns was that I think that's a good idea to have a left and right turn.

MR. GREALY: No problem.

MR. SALPEPI: Good evening, Mario Salpepi from Coppola Associates. To reiterate, I'm here to give you a quick

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overview of the two buildings. As Greg mentioned before, they are both three story buildings, each of them is designed similarly with a center corridor down the middle staircase at each end and an elevator and a core area in the center. Building one has 12 units per floor times three floors for the 36 units, the core

area contains refuse room on each floor so nobody carries garbage around the building and a sitting room and some lounge rooms where people can gather, seniors, we always give them places where they can get together within the building. Half of the basement of building one, half of building one has a basement, excuse me, where we have provided the required tenant storage space, each tenant will have their own fenced in cage with a locked gate. The other half of that basement is a large multi-purpose room which will serve for people to hobby, gather, have meetings, that sort of thing.

MR. VAN LEEUWEN: Is it going to be finished that part of the basement?

MR. SALPEPI: Yes.

MR. VAN LEEUWEN: How tall is your tallest building?

MR. SALPEPI: Getting head of me, let's see, 54 foot to average grade.

MR. VAN LEEUWEN: But I think that exceeds our total height, doesn't it?

MR. SALPEPI: Forty-five foot 10 per the zoning code that's based on the side which fronts the road, the zoning code refers to the side which faces the road, that 54 is where we have a basement area that opens downstairs.

MR. ARGENIO: Fifty-four in that number is the basement as well?

MR. SALPEPI: So by code we comply.

MR. SHAW: Can I introduce just a comment to that? That's a very valid point and the maximum building height is 50 feet and during one of the workshops that we had with Mark Edsall, myself being there, we brought in somebody from the code compliance office to review that issue if you remember Mark and the bottom line is he was comfortable with the building height as we presented it because houses having the other half of

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the exposed building as a basement, all right, so Jennifer's office is satisfied with respect that we meet the code based upon their interpretation of the definition of building height, the maximum 50 feet that we're providing and that which is required by zoning.

MR. ARGENIO: Make no mistake these are large

buildings, I understand your point and your point is not falling on deaf ears but these are not small buildings. Go ahead, Mario.

MR. SALPEPI: Yes, to support that also by building code this building is actually three stories with a lower level below it because the average less than 50 percent will be four stories which we had to provide open space to the amenities in the basement which I will get to in a second. So the footprint of building two is same setup as building one but it's 16 units times three floors for your 48 units. Percs Greg mentioned the breakdown before, the two bedroom units are all of the corner units in both buildings and the one bedroom units are the ones stacked inside. The core areas of building two also contain refuse rooms per floor, gathering spaces for the folks in the building and because we have this high low situation, we connected the two lobbies high and low so the lower lobby will be two stories so in essence, you'll actually visualize front to back when you're inside the building.

MR. VAN LEEUWEN: How many elevators in the big building?

MR. SALPEPI: Still one in the center, the building length is 257 total, it's less than 200 each way to the staircases from the center. The elevator in the middle.

MR. VAN LEEUWEN: How big is the elevator?

MR. SALPEPI: Standard.

MR. VAN LEEUWEN: Fifteen by ten whatever?

MR. SALPEPI: No, it's six by eight is the elevator shaft, we have done buildings as large as 66 units almost 400 feet long with one center elevator.

MR. VAN LEEUWEN: But you haven't done that in this town.

MR. SALPEPI: No, we haven't but we have done it and we have done larger buildings with one center elevator without any problems.

MR. VAN LEEUWEN: What I am worried about in case of fire.

MR. SALPEPI: Well, in case of fire that's when the two end staircases come into play for emergency use the elevator shuts down, tenants can't use an elevator during a fire, that's fire department use only. There's also a center stair in this building from the what would be the first level down to the lower level but not above that.

MR. VAN LEEUWEN: Doesn't go to the third and fourth level?

MR. SALPEPI: Not at the center, no.

MR. VAN LEEUWEN: Why not?

MR. SALPEPI: Because we close in the floors to make other spaces above.

MR. VAN LEEUWEN: I'd like to see the stairway go up all the floors on both buildings.

MR. SALPEPI: We may not have space to it but we can consider it.

MR. VAN LEEUWEN: If there's a fire, there's going to be a problem, I don't want people to get hurt.

MR. SALPEPI: I understand. Keep in mind the building is fully sprinklered corridors.

MR. ARGENIO: Just for the benefit of everybody, let me interrupt for a second, they have not satisfied the requirements of the fire inspector yet, couple of his things and he will look at this, Henry, couple of things are that they'll be requiring sprinkler, a full alarm system, that's a fire alarm, not a burglar alarm, obviously and there's some fire hydrants that have to be shifted around to get closer to the building, I don't mean to imply that your point is moot but there are other people applying a standard to this as well.

MR. SALPEPI: Obviously, building code takes into

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consideration the exiting safety of the building and the distances that people have to travel.

MR. VAN LEEUWEN: How old is that particular code?

MR. SALPEPI: Actually, we're in 2007 code now, in two weeks it will be 2010 brand new so by the time this building went for a permit it would be a brand new code.

MR. ARGENIO: I want you to tell me just a little bit, Greg mentioned earlier about the amenities, what about the amenities, he mentioned amenities, I don't see anything, I see a couple of patios.

MR. SALPEPI: I'm going to talk to you about the lower level of building one, I was getting there. Building one has the large outdoor patio around one entire call it quadrant of the building, that's your four story location of the building which provides full windows and even doors along the lower level, this entire lower level quadrant of building two. Within this half of the building we have provided many different spaces for the tenants to use. We have a management office, obviously there has to be management on site. We have a library, a crafts room, an exercise room, a card room, a media room and the common room which is sized for 95 occupants so they can have meetings with everyone on site, large parties, that sort of use. And like I said, all of these spaces have full height windows, they are completely exposed to grade on that four story side.

MR. ARGENIO: Let me give you a thought and I want to open this up to the public, I don't want to cause I want to hear if anybody else has a comment as well as the board. I think you should think about something, I don't have the answer but I'd like to make a comment. I think this is probably to you Greg more than Mario, that's nice what you did on the inside of the building but I think that you should also consider having some sort of route around the building that's continuous sidewalk ring for lack of a better term cause I can tell you that I see very often senior citizens on Sundays at the mall walking the mall just to get a little exercise and I don't think it would be very difficult for you to do, couple little grade issues here and there but I don't think it's impossible to accomplish. I think you should consider that, it's a thought. Not a running track, not a six lane NCA

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running track, Greg, just looking at the topo here I think you may be able to do that and I think that might not be a bad thing.

MR. SHAW: Okay, we'll look at it.

MR. ARGENIO: Mario, what else do you have? Give me the high points.

MR. SALPEPI: Okay, so I have given you the building,

just the last item I think we mentioned everything, the buildings are wood framed, get you over to the elevations now.

MR. VAN LEEUWEN: Oh, there's brick?

MR. SALPEPI: I believe you've asked for a closeup last meeting, as you can see more than 50 percent of the building is cultured stone, the remainder is siding, we're using architectural fiberglass shingles on the roof.

MR. ARGENIO: You have a little color there I see?

MR. SALPEPI: To accent the building there's a standing seam aluminum roof over the entrance.

MR. ARGENIO: Is that real brick on the facade?

MR. SALPEPI: This is cultured stone, yes.

MR. ARGENIO: So the answer is no?

MR. SALPEPI: Cultured stone masonry and every unit I hadn't mentioned previously has a balcony off their living room so you can see railings and decks from every level.

MR. ARGENIO: Let me get to this cause I'd like to get some input from the public, everyone will have a chance to get back. On the 16th day of November, 2010, Nicole compared 38 addressed envelopes containing notice of public hearing for this application. The list was provided to her by the assessor of the Town of New Windsor. So I'd like to open the public hearing, if anybody has a comment, raise your hand, be recognized, come forward and you'll be given the opportunity to be heard. Anybody like to speak on this application? Yes, sir, please come forward, sir. Your name?

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MR. BRAUN: Leo Braun. Two questions. Number one, why can't we turn this thing around for the public to see?

MR. ARGENIO: Yes, we can please Mario turn it around, there's question one. What is the second one?

MR. BRAUN: At one time I used to work with a funeral director, and the elevator situation, did you ever try to carry a stretcher through a small elevator? Your comment made reference to the elevators, I think it should be a lot larger.

MR. SALPEPI: Elevator fits a standard six foot stretcher.

MR. ARGENIO: Very good comment. I wouldn't have thought of that, it's a good thought, okay.

MR. BRAUN: Thank you.

MR. ARGENIO: Anybody else?

MRS. BRAUN: So it accommodates the stretcher?

MR. ARGENIO: Yes. Yes, ma'am? Please come forward.

MS. COUGHLIN: Tina Coughlin, I live on Steele Road and I was wondering how this building is going to affect us?

MR. ARGENIO: I'm going to tell you, Mrs. Coughlin, that it seems to me and Greg I'd like you to comment as well, it seems to me do you live near the Racene's (phonetic)?

MS. COUGHLIN: No, we're, you know, where the hill is and where it kind of plateaus, that's where we are.

MR. ARGENIO: Right or left?

MS. COUGHLIN: We're on the right, we're the yellow ranch, we're 58.

MR. ARGENIO: I don't think you're going to see it but I want Greg to speak to it, there's plenty of woods, his drawings are usually fairly accurate and I see woods everywhere

MR. SHAW: I'm sorry, I wasn't paying attention to your

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last name.

MS. COUGHLIN: Coughlin, we're house number 58.

MR. SHAW: Maybe you can come over here and kind of show me where it is, you have Rodriquez here, Figurella further down or this way.

MS. COUGHLIN: We're up the hill going toward the circle on the top.

MR. SHAW: Up here somewhere?

MR. ARGENIO: This is way before you.

MR. SHAW: That's a good distance away from the site.

MR. ARGENIO: I believe, ma'am, those I know those folks for a lot of years, actually went to college with David Racene in a former life so I know the road a little bit, I believe that's correct, I think it is quite a ways away.

MR. SHAW: Yeah, I don't think you're going to see it.

MS. COUGHLIN: We're just concerned because I like our quiet road and that's, you know, I don't want all this traffic, our kids ride the bikes.

MR. SHAW: That's why there will be no traffic.

MR. ARGENIO: The access for this site will be exclusively off 207. One of the important things that we're looking at as well as the planning board for the benefit of you and the people who live on that road is the fact that this owner's going to run a 12-inch water main up there and you guys might be able to get town water at some point in time and that certainly is no promise or guarantee but we're trying to plan.

MS. COUGHLIN: And you'll let us know about that.

MR. ARGENIO: Thank you, ma'am.

MS. COUGHLIN: Thank you.

MR. ARGENIO: Anybody else?

MR. GALLAGHER: Close the public hearing.

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MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded we close the public hearing on Stonegate. I'm sorry, come forward, sir. What's your name?

MR. GERACI: My name is Joseph Geraci, I live at 50 Steele Road. From my property over into Windsor Estates I and one neighbor have a right-of-way for ingress egress, I wonder if this facility will have anything to do with my right-of-way?

MR. ARGENIO: Greg, you're going to have to help with



this.

MR. SHAW: I don't know where his right-of-way is to be honest with you but we're dealing strictly with our property and access to Route 207. We're not utilizing any other right-of-way other than the right-of-way which extends down to Route 207, again, where the road is going to be.

MR. SHAW: Correct

MR. SCHEIBLE: I'm familiar with your spot there right, your right-of-way goes across over to Woodwinds, correct?

MR. GERACI: The right-of-way does, yes.

MR. SCHEIBLE: So this really has nothing to do, I know exactly where your right-of-way is, it goes over into Woodwinds so that doesn't interrupt your right-of-way at all.

MR. GERACI: Okay, thank you very much.

MR. ARGENIO: Okay, sir, thank you. Motion has been made and seconded. Roll call.

ROLL CALL

MR. SCHEIBLE     AYE  
MR. BROWN        AYE  
MR. GALLAGHER    AYE  
MR. VAN LEEUWEN   AYE  
MR. ARGENIO       AYE

MR. ARGENIO: Public hearing's closed. I have a couple things, can you turn that back, I don't think I do have

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a couple questions. Greg, do you have a head pressure issue with the water main volume issue? I don't know what the vertical difference is here but looks like it's a lot. Pump for fire protection or any such thing or tank.

MR. SHAW: If we're going to have to then that very well may be the case. The elevation on Little Britain Road at the entrance to our property is 310, the elevation to the highest building is 386, that's 76 feet that's about 30 PSI, if it turns out they have to put an internal pump system inside the building that's what you're going to have to do.

MR. ARGENIO: Who does that calculation?

MR. SHAW: Water system is going to have to go out to the health department

MR. ARGENIO: Health department and the fire issue, Mr. Edsall.

MR. EDSALL: The health department will review all water systems, the fire inspector and the building inspector office will review sprinkler systems and any pump system that's needed as any review of the plans.

MR. ARGENIO: I had a question about the easement but you answered that. The SWPPP I agree with that comment you made about the drainage, I believe the drainage is in like a southeasterly direction, there's a swallow hole at the foot of Washington Lake, do you know where that is, a swallow hole, I never heard it referred to as anything else.

MR. SHAW: It does, I have looked at many maps, many topographic maps and it does not go into Washington Lake.

MR. SCHEIBLE: It's always been called the basin, Lockwood's Basin.

MR. ARGENIO: Away from where we're talking about.

MR. SCHEIBLE: I've got a question not to interrupt you, we talked about the road going down, that's a private road then Greg.

MR. SHAW: This is right now this property is privately owned not by my client, he has a right-of-way over it,

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he is going to rebuild that roadway to town specs and it's still going to remain a private road under the ownership of Vandanta (phonetic) Realty Corporation who presently owns it now. The road system from this point forward is our parcel and that's going to be a private road system also with the maintenance being picked up by the owner of the senior housing project. So no town involvement whatsoever.

MR. ARGENIO: I think also too one of Mark's I think one of Mark's comments or maybe somebody else said it here, no, Mark doesn't have it here, one of my comments then is that I can't tell really I probably could if I studied it but I can't tell at quick glance where the drainage flow now is but my comment is that generally

it looks like the water flows towards Little Britain Road.

MR. SHAW: It all flows towards Little Britain Road.

MR. ARGENIO: In the direction what's below you is businesses, buildings, et cetera, et cetera, et cetera, certainly we wouldn't want to have happen and I'm not sure you wouldn't is for during construction in the event of an extreme rain event have 60 yards of silt down on New York State Route 207 so should be careful, it's a little hilly here.

MR. SHAW: I would agree.

MR. ARGENIO: So Mark, what about the SWPPP, where we at with that?

MR. EDSALL: I believe you have submitted a preliminary.

MR. SHAW: No, your office has determined that it is acceptable.

MR. EDSALL: Yes, I remember you met with John so correct.

MR. SHAW: I have that in writing from your office.

MR. EDSALL: I asked Greg to because of the slopes because of the location to deal with that with specific attention so apparently he's worked with Mr. Szarowski and brought that to closure.

MR. ARGENIO: Great, so you guys are out in front of me

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and that's good when that happens.

MR. SCHEIBLE: That's not going to be buried the drainage ditch.

MR. SHAW: That's not going to be buried.

MR. SCHEIBLE: So far as piping?

MR. SHAW: Yes.

MR. SCHEIBLE: It will be?

MR. SHAW: Yes.

MR. SCHEIBLE: How large is the pipe?

MR. ARGENIO: Are we talking about the same location, where are you talking about?

MR. SCHEIBLE: Yeah, Greg knows.

MR. VAN LEEUWEN: On Little Britain Road.

MR. SCHEIBLE: Yes.

MR. ARGENIO: Henry, are you referring to this area right here?

MR. SCHEIBLE: Yes.

MR. SHAW: It's going to be 30 inch PVC pipe going along this road.

MR. VAN LEEUWEN: What about 207?

MR. SHAW: Well, there's a culvert that crosses Route 207 and the size of that culvert is, just bear with me.

MR. SCHEIBLE: That's at least a 36 inch.

MR. SHAW: It's at least a 30 inch and when I say at least 30 inch what I think you have is you have, there's a catch basin at the base at the intersection of the drive and Little Britain Road, it leaves the catch basin as a 30 inch pipe, I wouldn't be surprised if it's a box culvert like eight feet in actually a box culvert that crosses the highway and they just stubbed in with a 30 inch pipe.

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MR. SCHEIBLE: When 207 was re-did about 15, 20 years ago they did put a box basin in there at that intersection.

MR. SHAW: Catch basin or culvert?

MR. SCHEIBLE: A box culvert, right.

MR. SHAW: But the pipe going out of the basin at the bottom of the hill is just a 30-inch pipe so must go into that box culvert which is what I thought.

MR. VAN LEEUWEN: So none of this water goes into Washington Lake?

MR. ARGENIO: No, goes the other direction. I think we're covering this fairly thoroughly, they'll be back.

Anybody else have any questions? I'd like to get to some formalities.

MR. BROWN: I have a question on the refuse house, is the refuse going to be disposed of?

MR. SHAW: Maybe I will ask Mario to address that.

MR. SALPEPI: As I said before, each floor will have a refuse room, there will either be containers in the room where a janitor will clean out the room every day or there will be a refuse shoot which vertically would go down to the basement and the janitor would clean out from the bin in the basement.

MR. ARGENIO: You have no exterior dumpsters?

MR. SALPEPI: Well, janitor will take from the building out to the dumpster locations.

MR. ARGENIO: Which is where?

MR. SALPEPI: Well, we have to take garbage somewhere out of the building.

MR. SHAW: There are no dumpster locations, we're going to have to work that out cause that's, I was of a different impression in that there would be no need for them very simply.

MR. VAN LEEUWEN: Let's work on those stairways going up to the fourth floor.

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MR. ARGENIO: I would also like to ask you Greg what are your thoughts about drawing 13 of 19? I don't think you have to worry about the view from down here cause you're 20 feet vertically below but I think it would be nice to do something a little wow, take a look at that.

MR. SHAW: Yes, we will.

MR. VAN LEEUWEN: Where is this existing pond, is that going to be --

MR. SHAW: Which existing pond?

MR. VAN LEEUWEN: There's a pond over here.

MR. SHAW: It's not on our property.

MR. VAN LEEUWEN: Sorry.

MR. SHAW: That's okay.

MR. ARGENIO: Dominic or Mark, I want to just bring your attention, I want to read this comment, planning board issued lead agency coordination letter, there should be no on 4/14 of 2010, I don't see any reason why we can't take lead agency on this.

MR. CORDISCO: You should confirm your position as lead agency.

MR. ARGENIO: Did we do that yet?

MS. JULIAN: We did not.

MR. ARGENIO: I'll accept a motion Town of New Windsor declare itself lead agency for this application.

MR. GALLAGHER: So moved.

MR. BROWN: Second it.

ROLL CALL

MR. SCHEIBLE     AYE  
MR. BROWN        AYE  
MR. GALLAGHER    AYE  
MR. VAN LEEUWEN   AYE  
MR. ARGENIO       AYE

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MR. ARGENIO: Dominic?

MR. CORDISCO: Well, the next step would be for the board to consider adoption of a negative declaration for this project, make a SEQRA determination of significance, it's an important step in this process because they need not only approval from this board but they also need a special permit from the Town Board and I know there's been commenters here tonight, once this board does adopt a negative declaration, the applicant will have to go back to the Town Board and the Town Board will hold a public hearing, there's a mandatory public hearing on the special permit by the Town Board so there will be another opportunity.

MR. ARGENIO: No reason we can't do that this evening.

MR. CORDISCO: That's correct.

MR. ARGENIO: Accept a motion for negative dec.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor declare a negative dec under the SEQRA process for Stonegate New Windsor.

#### ROLL CALL

MR. SCHEIBLE     AYE  
MR. BROWN        AYE  
MR. GALLAGHER    AYE  
MR. VAN LEEUWEN   AYE  
MR. ARGENIO       AYE

MR. ARGENIO: I don't know what else, Mark, is there anything else or Dominic that we can do?

MR. EDSALL: No, that's what we were discussing on the side here. The next step was consideration of a negative dec that does allow them to move forward not only with the Town Board but moving forward to the other agencies like the Department of Health for any water systems so that's all you can do at this point.

MR. ARGENIO: And as I said, there's comments from the firemen and there's some other comments, I'm not going to go through them all.

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MR. EDSALL: I met with Mr. Schermerhorn of the fire inspector's office today and went over some of his comments and resolved some of them. I believe it's just details that can be resolved on the final plan so I'll continue to coordinate with them.

MR. CORDISCO: Of course if and when they receive approval from the Town Board, they'll have to return to us for final site plan approval, any outstanding issues will have to be addressed at that time.

MR. ARGENIO: You'll consider the things we discussed here tonight, I would hope as you always do?

MR. SHAW: Absolutely.

MR. ARGENIO: Thank you for coming in. Good luck to you.

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REGULAR ITEMS:

EUGENE & JANN HECHT RETAIL BUILDING (10-25)

MR. ARGENIO: Next on tonight's agenda Eugene and Jann Hecht retail building, calling this the Hecht site plan amendment. Application proposes conversion of a 2,400 square foot storage building into a retail building. The plan was reviewed on a concept basis only. This is our first time seeing this application. Mr. Heck?

MR. HECHT: Yes.

MR. ARGENIO: You were here very recently, were you not?

MR. HECHT: Beginning of the summer.

MR. ARGENIO: What were you here for in the beginning of the summer?

MR. HECHT: Put the building up.



MR. ARGENIO: And that's the building referred to as an existing 40 by 60 storage building to be used for retail sales but it's not a storage building, it's a retail building?

MR. HECHT: Storage, I want to use it for retail sales now.

MR. ARGENIO: Existing storage going to use it for retail?

MR. HECHT: Correct.

MR. ARGENIO: Tell me about your application.

MR. HECHT: I spoke to Mr. Edsall, we're zoned for retail sales, everything here is retail sales and we went over it, I have to put additional parking in and blacktopping.

MR. ARGENIO: That's paved?

MR. HECHT: Yeah, that's all paved, this all has to be paved.

MR. ARGENIO: It has to be.

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MR. VAN LEEUWEN: It has to be paved.

MR. HECHT: Yes.

MR. ARGENIO: Because of the retail use, I'm sure that's what trips this.

MR. EDSALL: Yes.

MR. ARGENIO: What are you selling?

MR. HECHT: Internet stuff right now parts, lawn mower parts, accessories, power equipment parts.

MR. ARGENIO: Mark has it right here, applicant previously applied to this board for a 40 by 60 storage building to be located at the rear of the site, New Windsor Planning Board approval 10/3, approval stamp 3/24 of 2010, this is early 2010. I assume that front parking lot is paved adjacent to 32?

MR. HECHT: Yes, just paved last week repaved.

MR. VAN LEEUWEN: What you're going to sell is lawn mower parts, lawn mowers?

MR. HECHT: A lot of parts, antique stuff mostly.

MR. VAN LEEUWEN: Antique stuff.

MR. ARGENIO: Antique lawn mower parts?

MR. HECHT: Yes.

MR. ARGENIO: If anybody needs an old spark plug worn out call him.

MR. GALLAGHER: Once it becomes retail does that trigger anything as far as bathrooms, anything of that nature?

MR. EDSALL: That would be in the building if they need to make any modifications for the permit they'd have to adjust it.

MR. VAN LEEUWEN: Are there any bathrooms, anything else in that new building?

MR. HECHT: No.

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MR. VAN LEEUWEN: Nothing completely just a shell?

MR. HECHT: That's it.

MR. ARGENIO: That area right there that's known, and the trailer display area.

MR. HECHT: Yes.

MR. ARGENIO: That's overlapping the new pavement, is the trailer display area paved?

MR. VAN LEEUWEN: No, just the paved walkway.

MR. ARGENIO: See what I'm saying there?

MR. HECHT: This is all paved, actually it's paved down through here now bring it all the way down and come all the way across.

MR. ARGENIO: Okay, am I missing something here, Mark or just there's a lot of lines on the paper?

MR. EDSALL: It very simply is an existing building

that they are changing the interior use and they are providing the pavement you discussed, other than that, it's no more complicated.

MR. ARGENIO: Anybody have any questions on this? Antique lawn mower parts. Let me just say this, this has to go to the county cause he's within 500 feet of Route 32, the storage guy's on the one side, Surinsky's on the other, Henry Van Leeuwen or Danny, we have to decide whether we should have a public hearing on this. Do you guys have any thoughts on that?

MR. GALLAGHER: Did we have one for the building itself?

MR. ARGENIO: I don't remember.

MR. EDSALL: I'll check.

MR. SCHEIBLE: I think we skipped this.

MR. BROWN: It was only supposed to be a storage area.

MR. EDSALL: You waived the public hearing on February 24.

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MR. ARGENIO: So to waive it would be congruent with what we did last time again.

MR. VAN LEEUWEN: Is it a pole building?

MR. HECHT: Pole building.

MR. SCHEIBLE: Since antique lawn mower parts should be a hot item, you're going to need a lot of parking spaces there.

MR. HECHT: Yeah, a lot of it's internet sales.

MR. ARGENIO: I'll accept a motion that we waive the public hearing or do I not need to do that Dominic?

MR. CORDISCO: You would need a motion to waive the public hearing.

MR. SCHEIBLE: So moved.

MR. VAN LEEUWEN: Second it.

MR. ARGENIO: Roll call.

ROLL CALL

MR. SCHEIBLE     AYE  
MR. BROWN       AYE  
MR. GALLAGHER    AYE  
MR. VAN LEEUWEN   AYE  
MR. ARGENIO       AYE

MR. ARGENIO: Let me ask you this question. Are you going to be in here in the next 18 months for approval on something else?

MR. HECHT: Nope.

MR. ARGENIO: I know you can't anticipate the future.

MR. HECHT: Out of land.

MR. ARGENIO: What else can we do, you have to notify county?

MR. EDSALL: It's already been referred.

MR. ARGENIO: When we hear back from county, she'll notify you, come back and see us and we'll see what we

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can do.

MR. HECHT: Okay, thank you.

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HUDSON VALLEY AVENUE SITE PLAN (10-27)

MR. ARGENIO: Hudson Valley Avenue site plan First Columbia. The application proposes development of 12.5 acre parcel more or less 12.5 acres with three office buildings totaling 60,000 square feet and the associated improvement. The plan was reviewed on a concept basis only. I see Mr. Bette is here representing this. Chris, what do you have for us tonight?

MR. BETTE: Thank you, Mr. Chairman, my name is Chris Bette, I'm with First Columbia tonight, I'm here to present to the board a three building commercial office plan totaling 60,000 square feet on a 12 1/2 acre parcel. The parcel is located along Hudson Valley Avenue just up the road from the LSI facility adjacent to the LSI facility. Access to the site is proposed from Hudson Valley Avenue, utilities to serve the buildings are either located on the site or along Hudson Valley Avenue. Storm water will be designed to store and detain on site in a storm water basin. Parking is designed to meet the Town Code and the plan greatly exceeds the green area requirements.

MR. ARGENIO: Chris, which Town Code on the parking, the old one or the new one?

MR. BETTE: The new, we designed it to the old one but we're not aware there's been any change.

MR. VAN LEEUWEN: These are all three buildings you have to pilot for it?

MR. BETTE: No, just the one building we submitted to the IDA to get a pilot plan.

MR. VAN LEEUWEN: How come not the other two?

MR. BETTE: Purely just looking to do one building at a time.

MR. VAN LEEUWEN: Okay, I thought you were going to do all three.

MR. BETTE: We would happily go in for the next building as the demand comes. What we're thinking each building would be built based on tenant demand and they are going to be consistent with what we have been doing out there.

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MR. ARGENIO: Let me ask you this, Mark or Chris, Chris, you probably know whether but Mark I'm looking for you as well, how many other buildings on this site the site known as quote unquote First Columbia do you have approval for that are not built at this point?

MR. BETTE: We, the only other site that we have started approval we never finalized the approval was across the street.

MR. ARGENIO: Is that the hotel site?

MR. BETTE: No, no, it was an office building, it was Avenue of Americas building, 60,000 square feet that we had not progressed to final. We have not.

MR. ARGENIO: What's the status of that?

MR. BETTE: And the reason for this plan is purely that a lot of our sites lend themselves to 60 to 100,000 square foot office buildings, we took advantage of this building, this site using three buildings to get a smaller building obviously we want to build bigger buildings but the demand is just not there. So we're designing smaller buildings that we can fill up quickly and do multiples of them so that's what this plan represents, allows us a little flexibility.

MR. ARGENIO: So that single giant tenant with 150 employees?

MR. BETTE: We would send to another site in the park.

MR. ARGENIO: Mark, let me just read this and I do, I do have your comments, overall, the site provides eight handicapped parking spaces which meets current code requirements. This is reasonable although it's presumed that buildings one and two have internal elevators, is that correct? Yeah, look at the size of the slopes between the buildings front to back.

MR. BETTE: The buildings, Mr. Chairman, will be designed very much like the IDA's building where the second floor will have access direct to grade so first and second floor will have direct grade access.

MR. ARGENIO: Now, is this blacktopped curbs or concrete curbs?

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MR. BETTE: Those will be blacktopped curbs and we'll pursue that with you with a better detail than the last time.

MR. EDSALL: Mr. Chairman, the question he asked wasn't answered. Is there an elevator because the imbalance is corrected if you can go into one side and migrate between floors.

MR. BETTE: Parking's laid out to be balanced on either side to the Town Code so we're planning an elevator, we're planning on multi-tenanted office building but if the, similar to what happened at 4 London, the user did not want, who took the whole upper floor did not want access to the lower floor. We eliminated the elevator but the parking was basically 50-50 to front and back. That's for this number one building, obviously the other two buildings that they have planned right now is one story.

MR. ARGENIO: Okay so you're introducing us to the application tonight, Mark, what do we need to do with this tonight?

MR. EDSALL: It's really just an introduction to get the ball rolling. If the board has no concerns with regard to the layout, it would allow the applicant to proceed with more detailed drawings preparing the storm water drawings, the SWPPP so they can come back to the board with plans that would be suitable for a public

hearing if you want one or at minimum.

MR. ARGENIO: Why would we have one, this is the same discussion?

MR. EDSALL: That's why I put that if you want one.

MR. ARGENIO: We're the neighbor, the Town of New Windsor is the neighbor.

MR. EDSALL: More importantly get passed an acceptable SWPPP that's really the next major hurdle.

MR. ARGENIO: Anybody have any issue with what they're seeking? The answer on the elevators is definitive yes.

MR. BETTE: Maybe.

MR. ARGENIO: No, no, no, no, that's what he said

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unless at some point in time the tenant he lands has a desire to occupy space such that the connection to the two spaces is a problem at that point Jennifer it's going to be in your lap at the building department.

MR. EDSALL: My only concern with that and I love definitive maybes but --

MR. ARGENIO: That's what we have a definitive maybe.

MR. EDSALL: Not to create too long of a discussion on parking, it is not balanced, level to level, the area to the left of the plan, the lower level is about 20 percent short of parking, if you consider the bottom floor of the two buildings one and two so --

MR. ARGENIO: Well then the answer is then if there's no elevator that square footage area, the parking area that's attached to that there's your parking, you meet it or you don't.

MR. EDSALL: And if you had a flat site it would be very easy to say put in some sidewalks and walk around the building. But I can point out the connecting drive in front of building three that goes down to the lower parking level you're not going to want to walk up and down that and there's no sidewalk so there's no pedestrian connection here, hence the reason why I'm saying to make it absolutely functional, an elevator really should be in there so that it will take the high usage and if you do have a full parking lot to the left



you can just go in, park on the other side and walk through.

MR. BETTE: We anticipate an elevator, it's a 15,000 square foot footprint that tenants are rare in this market so it's going to be a multi-tenanted office building, I'd consider six to eight tenants in the building.

MR. VAN LEEUWEN: Even if you don't put an elevator in that particular part, you don't put the elevator in and you have, he wants just a quarter of that space and you rent it to three or four different people then you're going to need the elevator anyway then it costs three times as much or four times, am I right?

MR. BETTE: Point taken, yes, we would be making provisions so the two floors can communicate.

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MR. ARGENIO: Anything else?

MR. GALLAGHER: No.

MR. VAN LEEUWEN: No.

MR. BROWN: No.

MR. VAN LEEUWEN: I sit on the IDA board, we filled up one of his buildings in less than six months, he's looking for more space that's why he's going to build.

MR. ARGENIO: What else are you looking for?

MR. BETTE: Purely here to introduce you to the project.

MR. ARGENIO: Thank you for bringing the elevation.

MR. BETTE: And that's just another similar concept to what we have been doing, you know, we may tweak it a little bit, make this more a park within a park feel, all the buildings have a more similar look but complimenting but not consistent with or not directly.

MR. ARGENIO: Just a kind of a --

MR. BETTE: Mirror.

MR. ARGENIO: In your building does any of the folks in your building that you work with ever have the desire to go sit outside on a bench or something at the end of

the building?

MR. CORDISCO: Well, we can't.

MR. ARGENIO: Why not?

MR. CORDISCO: Because there's not a bench, the bench is over by the garbage dumpster.

MR. BETTE: That's the smoking area, we try to get them away from the door.

MR. CORDISCO: Which is a good thing.

MR. BETTE: They still hang out by the door.

MR. ARGENIO: Anything else?

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MR. CORDISCO: Yes, I was going to add that when we get to SEQRA of course we have already been through a full environmental review in connection with the entire development but what we have done in the past as buildings are being proposed and improved is to compare where they are compared to what has been done previously under SEQRA so they are within the thresholds. I haven't had a chance to review this application yet.

MR. ARGENIO: I think Mark has that tally information.

MR. EDSALL: We have worked on it.

MR. CORDISCO: We worked on it together last time.

MR. EDSALL: Very low on the scale so far.

MR. CORDISCO: Right.

MR. ARGENIO: Thank you, Chris.

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#### DISCUSSION

#### THE GROVE

MR. ARGENIO: Discussion items, The Grove architectural, someone from The Grove is here? Mark, I want you to speak to this as well. Guys, come on up and do you have the architecturals here? Do you have the binders

MR. DUNN: Yes, sir.

MR. ARGENIO: This is The Grove on the top of the hill formally K Hov. If you remember Justin Dates from Maser was here and we changed it to a zero lot line situation to help them better market the units and they want to make some architectural changes. So show us the architectural changes or show the board the architectural changes you want to make.

MR. DUNN: Mr. Chairman, members of the board, good evening, my name is Lenny Dunn, I'm with Saybrook out of Los Angeles. You have met Dan Hayes from our office, tonight I'm with Clark Atwood and Jason Anderson from Baker, we're in final negotiations on a purchase and sale contract to sell the ten, purchase the ten remaining lots and they'd build out the project that K Hov. started. So tonight as you mentioned we're here to show you the proposed architectural drawings.

MR. ATWOOD: My name is Clark Atwood, I'm vice president and general manager with Baker Residential based out of White Plains, we're a regional builder in business for 40 years. We're a privately held company and we build throughout the tri-state area, down in

Philly and North Carolina. The way we operate is at this current time, we've got three major projects under way, one in New Jersey as far as this region it's a 370 unit condo project townhomes, we've got a project up in Walkill, New York in Orange County that's a 260 unit townhome single family project and we have a large 320 unit project over in Danbury, Connecticut that's also a townhome condominium project, all are underway and quite successful enduring the downturn. What we're here tonight to talk about is the transition if you will from the product that was built from the previous builder on the site of The Grove by K Hovnanian and I think to give you the best orientation is to just show you how the site plan currently sits and this is in your book as well that the yellow buildings here which

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is on Balsam Drive just to give you, this is Hawthorne Way, the yellow buildings are the existing buildings that K Hov. built, there's 57 units there, 57 units with 127 condos, there's another 72 units that we're going to build on this side of Hawthorne Way and two buildings that still remain to be built down on Balsam. There's an additional 70 units over here that the board has gone ahead and changed from condominium ownership to HOA or individual lots, that process has already gone through here so these 70 townhomes will be in the HOA regime of individual lots. So I thought the best way would be to just, this is the product that's currently existing with the K Hov., further downhill you have the 12 unit condo product and the three story uphill product and what I thought I would do is just demonstrate what we propose to do down on the Balsam Drive area. We want to stay as close to the product as we can that K Hov. built so there's a lot of continuity in that particular area. As far as K Hov.'s building the 12 unit building we're going to build the exact same building, we'll build the exact same building down on Balsam Drive as well as up in the Hawthorne Way area and that building here is going to be, this is what we would propose down on building 11, down on, excuse me, if I may just --

MR. ARGENIO: So this building is the one that's filling the gaps left is what's there and right is what you're proposing?

MR. ATWOOD: Correct, so it would be the same elevations, we've got the plans from the other builder so that will be the exact same building. Now, the uphill building that's going to be right here building ten is going to match in with this building here, although it's going to be our uphill product that we

have built in some other locations and it will be this particular presentation. I should share with you that this, what we have tried to do here is their masking if you will is rather straight across and we have tried to stay with that particular look, we'll use the same brick and we've got the same facing here but it is different product, their product has the entries on the outside, we have depressed the entries to where they are inside the corridor areas here with a covered entry area to try to break out a little bit but we still have a little bit of flat look, still have the same relationship, these units are small here the upper two floors but we're larger cause we're going to include the finished basements as standard whereas K Hov. it

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was an option in those particular units.

MR. ARGENIO: And the garage doors?

MR. VAN LEEUWEN: All two car garages.

MR. ATWOOD: Yes, it's the same garage door that matches in here and I will show you when we go up to Hawthorne Way we're changing that particular detail.

MR. VAN LEEUWEN: What's in the center, the white is that siding?

MR. ATWOOD: Yes, sir, that would be siding.

MR. ARGENIO: Same as on the K Hov. units?

MR. ATWOOD: Right, siding all along through here.

MR. ARGENIO: Show us what you're envisioning if I may for this area here, the new building, the blue which is all the new stuff?

MR. ATWOOD: The uphill product that we want to build it's the same building that I just presented to you, however, we have changed from the brick to a cultured stone look, we have also changed the finish details and we have come up with a different color scheme. The market is calling for the cultured stone, market is calling for the different color scheme instead of so much of the white what you referred to there, sir, this is the same type of product that we had down below in building ten and it is the only difference here is that this is all three bedroom product, a product and the K Hov. had two and three bedroom in the uphill product.

MR. ARGENIO: Mark, is this, we're talking about the

same square footage here, right, the only difference is they're finishing the basement, is that right?

MR. ATWOOD: No, sir, that's not right.

MR. EDSALL: No.

MR. ATWOOD: We're actually coming in with a smaller upper two levels, the product that K Hov. had here was in the 2,000, 2,100 square feet on the upper two floors, our units would be in the 17, 1,800 square foot and then we're going to add in the lower level as standard thereby we'll have product that will be 2,100

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to 2,400 square feet bigger than what they had on three floors. And quite frankly, the reason for that is that the market is such a way that the value proposition is really what's driving the sales force, I mean, the business model that we have in Woodside Knolls up in Wallkill we finished all three floors, we offer a lot of value for the dollar and it's been selling very well, that project is a 260 unit project, we have been open for two and a half years, we have sold 240 units so far, 220.

MR. ARGENIO: Basically, guys what this is about here tonight is I will try to technical end we'll get back to you guys in a moment. Essentially, these guys want to buy the project K Hov. I'll use the term bailed out on the town on the project, if you go up there, there's a few units, I don't know however many it is.

MR. ATWOOD: Fifty-seven

MR. ARGENIO: How many built?

MR. ATWOOD: Fifty-seven built here, sir.

MR. ARGENIO: How many structures?

MR. ATWOOD: Nine.

MR. ARGENIO: Nine structures built out of?

MR. ATWOOD: Eight, I'm sorry.

MR. ARGENIO: Out of 20 or 22 something like that so these folks feel that they have a good handle on this market and they have a good idea of what can make these units move. And again to summarize the first thing that they did was to go to the zero lot lines which helps the potential buyer get financing, broadens that

market area for them. Now they want to make these other changes which they feel that the marketplace will support better than the units that K Hovnanian had designed. That's substantially correct?

MR. EDSALL: Yes.

MR. VAN LEEUWEN: People actually like cultured stone over brick?

MR. ATWOOD: No question about it.

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MR. VAN LEEUWEN: They're all nuts.

MR. ARGENIO: Part of the issue too I understand your point, Henry, I'm an Italian guy, I like stone too but there's an issue of finances when you start talking about real stone and real brick it gets real expensive, I know it cause you know you have been to my house, you saw the stone wall so it's money and you're trying to build something that you can build and sell it for a profit.

MR. ATWOOD: Yes.

MR. ARGENIO: At the end of the day, that's the reality.

MR. VAN LEEUWEN: That's what we all hope for to make a buck.

MR. BROWN: How's this going to effect the homeowners as far as the associations and all that?

MR. ATWOOD: As far as the associations go, everything is going to be equal, the homes that we built here in the individual lots compared to the ones that are in the condo will have the same services, everything will be the same between the two units, they would be a mirror if you will, they'll have the same --

MR. ARGENIO: I want to nose his question down a little bit, Howard's question in doing that, are we adversely, I'm not privy to your deal with K Hov. and I don't want to be, is there any favoritism being exercised relative to dues or HOA membership or anything else being exercised for the new purchasers that the old purchasers don't have?

MR. DUNN: No, sir.

MR. CORDISCO: Mr. Chairman, I can elaborate on that. We have required as part of the prior condition of approval in connection with the subdivision conversion of the site plan to a subdivision that a new homeowners' association be formed and that these units be included in that and as the gentleman stated they'll have to pay the same dues and have the same responsibilities as the existing units.

MR. ARGENIO: Exactly, I think that's where you were going and I had asked the same thing at prior meetings.

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MR. CORDISCO: The purpose for doing this was to protect those existing homeowners up there so they are not shouldering an unfair burden in connection with future maintenance.

MR. ARGENIO: Henry first.

MR. VAN LEEUWEN: Any unfinished units that you are buying? All the units are finished?

MR. ATWOOD: We're not buying any existing product, I know everything in the 57 units is complete.

MR. SCHEIBLE: Just going, what you were just saying the existing people that are there now, how many square foot approximately existing right now, the older buildings that are there being occupied?

MR. ATWOOD: Twenty-one hundred square feet.

MR. SCHEIBLE: Yours are coming in at?

MR. ATWOOD: Starting at 21, going to 2400 for the uphill type product

MR. SCHEIBLE: It's apples to apples here almost.

MR. ATWOOD: No, it's not apples to apples, I mean, I'm a candid guy, it's not because they've got 2,100 square feet on an upper two floors of the building to build 2,100 square feet on the upper two floors is much more expensive than building 24 with having 500 in the lower level so I'm giving more square footage for a cheaper dollar than what their homes are. But their homes are larger on the upper two floors than I offer, I think what I have done I have come in with a product that can allow me to get my price down without negatively impacting their product over here because it's an apple and an orange.



MR. SCHEIBLE: Well, I just want to make sure that you got both sides of the street, they're looking across the street and saying well, his looks so much cheaper than what I bought and I have to pay the same amount of dues, I just want to make sure we're all going to be --

MR. ARGENIO: I'm going to tell you that as I said I agree with what Howard said but we need to keep in mind too that that holds merit to a point, we need to make

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sure that these folks aren't going to come in and put up 1,100 square foot units across the street from a 2,500 square foot, I think we'd be not doing our job if we allowed that to happen. You're talking about 21, 23, 2,400, it's similar, it's similar, you're thinking your product is better, I'm okay with that but from where I'm sitting, I think it's similar and I think that's not a bad thing. My wife, and again this is a risk associated with condos, former life my wife bought a condo for \$35,000, no, \$65,000 a lifetime ago, there was a time when she couldn't sell it for 30 quite literally as the circle went up and down, we got out of it five years ago, four years ago at the real estate peak for about 150 which is are you kidding me, it's a joke, it's a joke, if it didn't happen to me, I wouldn't believe it. So these units no matter where they are they tend to be a little more cyclical than single family homes.

MR. SCHEIBLE: I'm dying to see this project get back underway, if it's broken we fix it right and we fix it in the right direction.

MR. ATWOOD: Yes, to your point, we want to build out Balsam Drive so that it is monogamous to what the product is that's down here, we're building the exact same building that's there, we're building our uphill building but using the same color brick and siding trying to stay with the same look so there's some transition there.

MR. ARGENIO: I shouldn't say this Mark's holding his breath, if I had a \$10 bill for every time during the initial meetings with K Hov. I heard the words I promise you and then something else came after it, I'd have a lot of money, I promise you that.

MR. ATWOOD: Did I say I promise?

MR. ARGENIO: Not you, no, you didn't.

MR. ARGENIO: The point is market conditions change, things change and I certainly I think what you're doing here is good, I'm glad I feel the same way Henry does, good to see this thing up and running. I think it looks okay, I like the fact that your garages have windows in them, I think that's a pretty simple thing but I think it makes a darn big difference, I think it does.

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MR. ATWOOD: If I may, this is the existing product that we're building in the job in Wallkill in Orange County Woodside Knolls, this is the town, there's no stone on these particular buildings at all, only a little hint of stone here on the sides, this is generally the same product as far as the downhill product that we'll be offering here at The Grove and we tried to stay with some of the arched tops here that relates down to the K Hov. product if I may they had some arches here, we're trying to bring here again the stone, this is a six pack, those are three packs there as far as --

MR. ARGENIO: Danny, you're mute, I've not heard you say a word.

MR. GALLAGHER: No.

MR. ARGENIO: Mark, do you have any additional thoughts that we need to do to make sure we're moving in the right direction?

MR. EDSALL: Which aspect?

MR. ARGENIO: Which aspect, well, I will say to you Dominic what do we need to do here tonight formally and officially?

MR. CORDISCO: At this point, there's not been a formal application to the board, obviously, the board seems to appreciate the changes in the desire from both Baker and Saybrook to move this project along. Typically this board is not an architectural review board, we don't have that authority as a general matter in the town zoning law but this particular project was approved as a planned unit development project so it's approved as an integrated development and as part of the prior approval, the architectural renderings were approved specifically as part of that approval so they are asking to change those even though the changes are modest and are in largely keeping with the existing development. My suggestion would be that he submit an

application for an amendment to that approval so that the board can act on it formally, that way, you can have a formal approval on record and that would be for this remaining phase and then if there's any future changes down the line, you'll have the ability to have something to jump off from for that as well.

MR. ATWOOD: If I may?

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MR. ARGENIO: Yes.

MR. ATWOOD: We're changing nothing in the infrastructure on the project, changing nothing in the pipe work, any of the drainage, all that there are some subtle changes going on in grading that relates to our product that's the downhill product, our product is five feet deeper in the three buildings than what K Hov. has.

MR. ARGENIO: What are you getting at?

MR. ATWOOD: Top.

MR. VAN LEEUWEN: What do you mean by five foot deeper?

MR. ATWOOD: The building footprint is deeper by five feet than what the K Hov. product was. So where I'm getting at is that we're not changing anything as far as the overall developmental, we're doing, we're coming in and changing the look of the product so I don't know if this is more informational, candidly, I didn't know that we had to go through an application process.

MR. SCHEIBLE: So you're saying --

MR. CORDISCO: That's why we're talking about it now.

MR. ATWOOD: Right.

MR. SCHEIBLE: You just said you're going to be five foot deeper but is the footprint the same dimensions as the previous buildings?

MR. VAN LEEUWEN: No, it's five foot more.

MR. ATWOOD: In your pack there's a graphic, now what I have here is the three different buildings that we're offering, the first building down here is the 12 unit condo building that's exactly the same. K Hov. building is gray, our building would be in the dark line. Coming up here to the uphill units our uphill

units are a bit shorter in some spots, a big longer in others, generally the same box outline. Coming down to the downhill product, K Hov.'s product is we're the same width generally the front is the same but here is the five foot extension in the back in order for us to get from a --

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MR. VAN LEEUWEN: Use the space in the basement, I understand.

MR. ATWOOD: But also that you go from a one car garage to a two car garage which is what we're offering, we needed a little bit more depth in the building to get there so that's what happens there and when that happens we had a little bit of a grading here but generally the grading is tantamount to --

MR. ARGENIO: Now, is that additional space in the basement not the five feet the space you finished is that additional bedroom or just --

MR. ATWOOD: No, it would be like a recreation room.

MR. ARGENIO: Bedroom counts are all staying the same?

MR. ATWOOD: No, sir, in the overall project, the bedroom count is higher because in our uphill product we're offering three bedroom only in this product whereas K Hov. offered two with an option of three.

MR. ARGENIO: That's only in the uphill product?

MR. ATWOOD: Yes, and the, I think the count is, there's 24 more bedrooms in the mix.

MR. ARGENIO: I don't want to make this more complicated than it should be.

MR. VAN LEEUWEN: It's coming to that.

MR. ARGENIO: It is coming to that but let me just digest this.

MR. VAN LEEUWEN: Cause really the buildings are five foot deeper than they were prior.

MR. ARGENIO: Here's the deal, that space is picked up in the back and doesn't affect, it's not affecting anything in the front, it's not affecting the front yard anything like that, but this bedroom thing, maybe I'm a little slow on the draw here.

MR. VAN LEEUWEN: No, you're not.

MR. ARGENIO: The uphill units the K Hov.s had the option for a third bedroom, is that correct, Mark?

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MR. DUNN: Not all of them. If I may, building 17 through 22 the interior four units on each of these six packs had two bedrooms, we're proposing three bedroom on all of them.

MR. VAN LEEUWEN: The only thing is that creates a problem for us, school board.

MR. ARGENIO: It's a whole list of stuff, Mark, can you speak to that?

MR. VAN LEEUWEN: I want to go home and think about this, I'm not ready to vote.

MR. EDSALL: I wouldn't be surprised if the increase in the bedrooms is less than five percent relative to the total project. But nonetheless, it's an increase which you very easily could evaluate and find that it has no impact, however, that leads back to Dominic's comment that to take action you have to have an application to protect these gentlemen from a SEQRA standpoint that you have reviewed it and determined.

MR. ARGENIO: They are building something that wasn't approved.

MR. EDSALL: Exactly, it's a very minor change.

MR. ARGENIO: You see this is the agenda for tonight and the reason you're on the bottom here cause it's a discussion item, so you're marching to the same sheet of music that I'm marching to an hour ago but I think the flavor here is that my sense is the flavor is that this is good, it's good that you are here, I'm glad that you're going to do this. I think that everybody is looking favorably on this but from a procedural point of view, we have to make sure that we're technically sound on this.

MR. CORDISCO: My recommendation --

MR. VAN LEEUWEN: We have to protect our butt and yours.

MR. CORDISCO: My recommendation is that they make an

application to amend the existing approval and that way you know and they know what you're approving at this point.

MR. VAN LEEUWEN: That way, it's done officially and

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it's the right way.

MR. GALLAGHER: I would think, I'm not, this is probably gearing towards what Dominic is saying, we had a public hearing where members stood up for people that lived in the eight previously built buildings and we pretty much told them there were no other changes other than that a lot line going through the buildings, that was kind of their main concern was the aesthetics and going to be no other changes from what they live in to what was going to be built.

MR. VAN LEEUWEN: But we didn't know this was coming.

MR. GALLAGHER: At the same time, we told the public there wasn't going to be any other changes other than a lot line.

MR. EDSALL: I'm less concerned personally from the standpoint of prior site plans and how we and Jennifer correct me if I'm wrong how we handle footprint adjustments, walls, moving out buildings becoming a little more elongated or less deep, I'm less concerned about the five foot than I am about the bedroom count and is your use being properly documented and having the board take action to protect both the town and the applicant because we have many, many, many times had field changes where buildings shift, unit market changes a little bit that does not impact the site plan, same number of bedrooms, roughly the same square footage and they have been considered field changes. The trigger here in my mind is number one as Dom said to lock in the architectural.

MR. ARGENIO: Whole thing that drives is your system design, septic system design, bedroom count drives the whole thing.

MR. EDSALL: Exactly, and protect the town and the applicant, roll the architectural in for the record. It can be a very abbreviated process, very abbreviated but I think the record being clear protects you folks as well.

MR. VAN LEEUWEN: Protects us and protects you.

MR. ATWOOD: We're again --

MR. VAN LEEUWEN: If somebody comes in and says hey, that was never properly approved this and that then we

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have to start all over again. We don't want to do that, I don't want to do it anyway, I'm only one person here.

MR. EDSALL: I would go as far as to even say that given what you have you may not require an amended site plan cause again, if you look at this on the scale of the larger scale drawings sometimes the pen line could absorb the change, the thickness of the depth of the building, it may be just a matter of this package with a narrative.

MR. ARGENIO: Henry, go ahead, I'm sorry.

MR. EDSALL: It could be handled if the board chooses to do so as an application with a narrative and this is an attachment and then you just acknowledge that the rear walls may be shifting and they are making field grading changes which has been happening on other sites as well.

MR. ARGENIO: How does the statement you just made address the bedroom count?

MR. EDSALL: Because the narrative would outline the bedroom count, the change in the number of bedrooms percentage wise and volume wise would look at the, for this type of unit student population increase and you would have all those numbers available percentages.

MR. ARGENIO: We're talking about decimals.

MR. EDSALL: You can say it doesn't really mean anything.

MR. CORDISCO: But you'd have a basis to do so.

MR. SCHEIBLE: I'm worried about that we're changing setbacks now are we complying with the new setbacks, is that, does that comply with the ordinance that's already there?

MR. VAN LEEUWEN: He said the setbacks would be the same.

MR. SCHEIBLE: No, we're adding to the front and we're adding to the back.

MR. VAN LEEUWEN: Not to the front.

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MR. EDSALL: They are no closer to any property lines that would affect zoning compliance.

MR. SCHEIBLE: Okay.

MR. ARGENIO: I think that you guys are right, I think that's the way we should proceed, I think we should Mark try to do this in as an abbreviated fashion as we can but I think you guys should memorialize what you're proposing, I think it's important to have the record clear.

MR. ATWOOD: Very good.

MR. ARGENIO: I think it would be unfair for us, unfair for you to expect anything different and we try very hard and you heard the comments that were here tonight we try very hard to have to not have in our town unfinished projects and failed ventures and things of that nature. And I had a very big fear a year ago, eight months ago that this project was going to sit for another two years until a significant spin on the economy and you guys have taken that away. So we'll certainly do whatever we can to make it as abbreviated as possible.

MR. ATWOOD: I appreciate that

MR. ARGENIO: Get ahold of Nicole and Dominic to start with and let's memorialize what it is and we'll move you forward.

MR. ATWOOD: Very good, thanks, appreciate your comments.



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OSM REALTY - BLOOMING GROVE TURNPIKE

MR. ARGENIO: Next item OSM Realty, Blooming Grove Turnpike. We're not going to hit them tonight because Mark is awaiting some additional information before he can say anything or comment on that application, it's a very simple basic issue. I don't remember what it was but it was something to do with the parking.

MR. EDSALL: It has to do with vehicle movement around the building, clearances, access.

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FORMER LIGHTNING LUBE

MR. ARGENIO: Former Lightning Lube on 400 Route 94. Mark, can you share with the rest of the members?

MR. EDSALL: I know you're tired, we had a Wendy Doviken came to the workshop on November 30 indicated her desire to move an automobile repair operation into the former Lightning Lube. I distributed a short memo giving you the history so you'd have it on record, application 90-22 goes back to 1991 approval. The bottom line is that they are proposing no change in use from what was previously approved, no change in exterior layout, really just matter of cleaning up the building, making it a functional productive site.

MR. VAN LEEUWEN: Needs work, I'll tell you that.

MR. EDSALL: It needs work but what she does desire is something from the town acknowledging that it's an approved use and that effectively it's, no site plan new application is needed.

MR. ARGENIO: Why does she need that from us?

MR. EDSALL: It comes to licensing and financing so rather than have it be a surprise to you guys and have me work with Jen and write letters that you're unaware of, I want it on the record in the minutes tonight and if the board has no problem, you can turn it over to the building inspector and I will work with Jen to get a short letter out and Mrs. Doviken can move forward.

MR. VAN LEEUWEN: I have no problem.

MR. BROWN: I don't have a problem.

MR. VAN LEEUWEN: Be nice to see the building.

MR. ARGENIO: You have been so authorized, Mark.

MS. GALLAGHER: Just so we get it on record, auto repair with no sales, just so we have it in the minutes that's all.

MR. ARGENIO: Anything else?

MR. VAN LEEUWEN: Motion to adjourn.

MR. BROWN: Second it.

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ROLL CALL

MR. SCHEIBLE     AYE  
MR. BROWN       AYE  
MR. GALLAGHER   AYE  
MR. VAN LEEUWEN   AYE  
MR. ARGENIO      AYE

RESPECTFULLY SUBMITTED BY:

FRANCES ROTH  
STENOGRAPHER